

106TH CONGRESS
1ST SESSION

H. R. 1556

To establish a National Commission on the Prevention of School Violence.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1999

Mr. GREENWOOD (for himself, Mr. CASTLE, Mr. GOODLING, Mr. KILDEE, Mr. PICKERING, Mr. TANCREDI, Mr. BERRY, Mr. INSLEE, Mr. MALONEY of Connecticut, Mrs. CUBIN, Mr. BOEHLERT, Mr. HINCHEY, Mr. BILIRAKIS, and Mr. DEUTSCH introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a National Commission on the Prevention of
School Violence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Prevention of School Violence Act of 1999”.

6 (b) FINDINGS.—The Congress finds the following:

7 (1) Students have a right to be safe and secure
8 in their persons while attending school.

1 (2) While America's schools are among the
2 safest places to be on a day-to-day basis, the recent
3 tragic and sudden acts of violence in some of our
4 Nation's schools, including the incidents in Pearl,
5 Mississippi; Paducah, Kentucky; Jonesboro, Arkan-
6 sas; Springfield, Oregon; Edinboro, Pennsylvania;
7 Fayetteville, Tennessee; and Littleton, Colorado, re-
8 mind us that no school and no community can be
9 complacent in their efforts to make their schools
10 even safer and in doing so provide a high quality
11 learning environment for their students.

12 (3) There is an increasing and urgent need to
13 better understand the causes of violence committed
14 by students and to identify those initiatives and
15 strategies that are effective in preventing acts of vio-
16 lence in our schools.

17 **SEC. 2. ESTABLISHMENT OF NATIONAL COMMISSION ON**
18 **THE PREVENTION OF SCHOOL VIOLENCE.**

19 There is established a Commission to be known as
20 the "National Commission on the Prevention of School Vi-
21 olence" (hereafter in this Act referred to as the "Commis-
22 sion").

23 **SEC. 3. MEMBERSHIP OF COMMISSION.**

24 (a) APPOINTMENT.—

1 (1) GENERALLY.—The Commission shall be
2 composed of 11 members as follows:

3 (A) Three individuals shall be appointed by
4 the Speaker of the House.

5 (B) One individual shall be appointed by
6 the Minority Leader of the House.

7 (C) Three individuals shall be appointed by
8 the Majority Leader of the Senate.

9 (D) One individual shall be appointed by
10 the Minority Leader of the Senate.

11 (E) One individual shall be appointed by
12 the Secretary of Education.

13 (F) One individual shall be appointed by
14 the Attorney General.

15 (G) One individual shall be appointed by
16 the Secretary of Health and Human Services.

17 (2) CONSULTATION BY APPOINTING OFFI-
18 CIALS.—The appointing officials shall consult with
19 each other on their appointments to assure the
20 qualifications set forth in subsection (b) are met.

21 (b) QUALIFICATIONS.—

22 (1) GENERALLY.—Each of the individuals ap-
23 pointed under subsection (a) shall be—

24 (A) a nationally recognized individual
25 prominently acknowledged by that individual's

1 peers, through publication, awards, or other
2 such honors, as having expertise in fields re-
3 lated to child and adolescent behavior;

4 (B) an individual with expertise and expe-
5 rience in dealing with at-risk children and ado-
6 lescents; or

7 (C) an individual with expertise and expe-
8 rience in school safety and violence issues.

9 (2) SPECIAL QUALIFICATIONS.—The expertise
10 of each individual appointed shall relate to the im-
11 pact of these issues on producing a high quality
12 learning experience. The panel shall include a parent
13 and a recent high school graduate from a school
14 where a recent violent incident has occurred. The
15 panel shall include professionals with expertise in
16 issues dealing with violent and delinquent youth, ju-
17 venile justice, or the impact of media and entertain-
18 ment on children and adolescents. Such professionals
19 shall be representative of the fields of psychology,
20 psychiatry, mental health, social work, school safety,
21 school counseling, behavioral science, juvenile justice;
22 the impact of media and entertainment on children
23 and adolescents. Whenever possible, preference shall
24 be given to those who are also parents.

1 (c) CONSULTATION.—In the course of carrying out
2 their responsibilities, the members of the Commission shall
3 consult—

4 (1) experts from education, such as school ad-
5 ministrators, teachers, counselors, and principals;

6 (2) experts from the criminal justice field, such
7 as law enforcement officers, judges, prosecutors, and
8 juvenile probation officers;

9 (3) behavioral scientists with experience with
10 violent or delinquent youth;

11 (4) organizations or research facilities with ex-
12 pertise in school violence and safety issues;

13 (5) school safety experts such as school security
14 officials;

15 (6) school psychologists with experience in iden-
16 tifying youth at risk of violence;

17 (7) organizations with experience in dealing
18 with at risk youth;

19 (8) members of the public who come in contact
20 with at risk youth;

21 (9) public health officials who have studied vio-
22 lence as a public health problem;

23 (10) statisticians who have studied youth and
24 interpersonal violence;

25 (11) criminologists;

1 (12) students and parents; and

2 (13) other experts in the field of school violence
3 and school safety issues.

4 (d) CHAIRPERSON AND VICE CHAIRPERSON.—The
5 members of the Commission shall elect a Chairman and
6 a Vice Chairperson. In the absence of the Chairperson,
7 the Vice Chairperson will assume the duties of the Chair-
8 person.

9 (e) QUORUM.—A majority of the members of the
10 Commission shall constitute a quorum for the transaction
11 of business.

12 (f) APPOINTMENTS.—All appointments under sub-
13 section (a) shall be made within 30 days after the date
14 of enactment of this Act. In the event that an officer au-
15 thorized to make an appointment under subsection (a) has
16 not made such appointment within such 30 days, the ap-
17 pointment may be made for such officer as follows:

18 (1) the Chairman of the Committee on Edu-
19 cation and the Workforce may act under such sub-
20 section for the Speaker of the House of Representa-
21 tives;

22 (2) the Ranking Minority Member of the Com-
23 mittee on Education and the Workforce may act
24 under such subsection for the Minority Leader of
25 the House of Representatives;

1 (3) the Chairman of the Committee on Labor
2 and Human Resources may act under such sub-
3 section for the Majority Leader of the Senate; and

4 (4) the Ranking Minority Member of the Com-
5 mittee on Labor and Human Resources may act
6 under such subsection for the Minority Leader of
7 the Senate.

8 (g) VOTING.—Each member of the Commission shall
9 be entitled to one vote, which shall be equal to the vote
10 of every other member of the Commission.

11 (h) VACANCIES.—Any vacancy on the Commission
12 shall not affect its powers, but shall be filled in the manner
13 in which the original appointment was made.

14 (i) PROHIBITION OF ADDITIONAL PAY.—Members of
15 the Commission shall receive no additional pay, allow-
16 ances, or benefits by reason of their service on the Com-
17 mission. Members appointed from among private citizens
18 of the United States may be allowed travel expenses, in-
19 cluding per diem, in lieu of subsistence, as authorized by
20 law for persons serving intermittently in the government
21 service to the extent funds are available for such expenses.

22 (j) INITIAL MEETING.—The initial meeting of the
23 Commission shall occur within 40 days after the date of
24 enactment of this Act.

1 **SEC. 4. FUNCTIONS OF COMMISSION.**

2 (a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—

3 The Commission shall study incidents of school violence.
4 To the extent feasible, the Commission shall interview the
5 perpetrators of school shootings, members of their fami-
6 lies, their friends, and associates, teachers, guidance coun-
7 selors, and other professionals who can provide insight
8 into the perpetrators experiences, feelings, and expres-
9 sions. The Commission shall make findings and specific
10 recommendations regarding the following:

11 (1) The extent, patterns, and root of the prob-
12 lem surrounding violence in and around schools, at
13 school events, and on the way to and from school.

14 (2) The key factors relating to school violence,
15 including the characteristics of both perpetrator and
16 victim, as well as their families and communities; the
17 relationship between perpetrator and victim; social
18 interactions; family dynamics; and the impact of en-
19 tertainment, media, and cultural influences.

20 (3) Successful approaches to preventing school
21 violence, including such programs as early identifica-
22 tion of troubled children, anger management, con-
23 flict resolution, and problem solving.

24 (4) Recommendations to parents, educators,
25 communities, and government entities as to those
26 programs and strategies that will best prevent school

1 violence and ensure the safety of students, faculty,
2 and others, and lead to a high quality learning envi-
3 ronment.

4 (b) FINAL REPORT.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 the Commission shall submit to the President and to
7 the Congress, not later than 1 year after the date
8 of the first meeting of the Commission, a report
9 which shall contain a detailed statement of the find-
10 ings and conclusions of the Commission, including
11 the Commission’s recommendations for administra-
12 tive and legislative action that the Commission con-
13 siderers advisable.

14 (2) MAJORITY VOTE REQUIRED FOR REC-
15 OMMENDATIONS.—Any recommendation described in
16 paragraph (1) shall be made by the Commission to
17 the President and to the Congress only if such rec-
18 ommendation is adopted by a majority vote of the
19 members of the Commission who are present and
20 voting.

21 **SEC. 5. POWERS OF COMMISSION.**

22 (a) HEARINGS.—The Commission may, for the pur-
23 pose of carrying out this Act, hold such hearings and sit
24 and act at such times and places, as the Commission may
25 find advisable.

1 (b) RULES AND REGULATIONS.—The Commission
2 may adopt such rules and regulations as may be necessary
3 to establish the Commission’s procedures and to govern
4 the manner of the Commission’s operations, organization,
5 and personnel.

6 (c) ASSISTANCE FROM FEDERAL AGENCIES.—

7 (1) INFORMATION.—The Commission may re-
8 quest from the head of any Federal agency or in-
9 strumentality such information as the Commission
10 may require for the purpose of this Act. Each such
11 agency or instrumentality shall, to the extent per-
12 mitted by law and subject to the exceptions set forth
13 in section 552 of title 5, United States Code (com-
14 monly referred to as the Freedom of Information
15 Act), furnish such information to the Commission,
16 upon request made by the Chairperson of the Com-
17 mission.

18 (2) FACILITIES AND SERVICES, PERSONNEL DE-
19 TAIL AUTHORIZED.—Upon request of the Chair-
20 person of the Commission, the head of any Federal
21 agency or instrumentality shall, to the extent pos-
22 sible and subject to the discretion of such head—

23 (A) make any of the facilities and services
24 of such agency or instrumentality available to
25 the Commission; and

1 (B) detail any of the personnel of such
2 agency or instrumentality to the Commission,
3 on a nonreimbursable basis, to assist the Com-
4 mission in carrying out the Commission's duties
5 under this Act.

6 (d) **MAILS.**—The Commission may use the United
7 States mails in the same manner and under the same con-
8 ditions as other Federal agencies.

9 (e) **CONTRACTING.**—The Commission, to such extent
10 and in such amounts as are provided in appropriation
11 Acts, may enter into contracts with State agencies, private
12 firms, institutions, and individuals for the purpose of con-
13 ducting research or surveys necessary to enable the Com-
14 mission to discharge the Commission's duties under this
15 Act.

16 (f) **STAFF.**—Subject to such rules and regulations as
17 may be adopted by the Commission, and to such extent
18 and in such amounts as are provided in appropriation
19 Acts, the Chairperson of the Commission shall have the
20 power to appoint, terminate, and fix the compensation
21 (without regard to the provisions of title 5, United States
22 Code, governing appointments in the competitive service,
23 and without regard to the provisions of chapter 51 and
24 subchapter III of chapter 53 of such title, or of any other
25 provision, or of any other provision of law, relating to the

1 number, classification, and General Schedule rates) of an
2 Executive Director, and of such additional staff as the
3 Chairperson deems advisable to assist the Commission, at
4 rates not to exceed a rate equal to the maximum rate for
5 level IV of the Executive Schedule under section 5332 of
6 such title.

7 **SEC. 6. EXPENSES OF COMMISSION.**

8 There are authorized to be appropriated to pay any
9 expenses of the Commission such sums as may be nec-
10 essary not to exceed \$650,000. Any sums appropriated for
11 such purposes are authorized to remain available until ex-
12 pended, or until one year after the termination of the
13 Commission pursuant to section 7, whichever occurs first.

14 **SEC. 7. TERMINATION OF COMMISSION.**

15 The Commission shall cease to exist on the date that
16 is 60 days after the date on which the Commission is re-
17 quired to submit its final report in accordance with section
18 4(b).

○